

IPW

Practitioner's Docket No. 2003-IP-009464U1

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of \_\_\_\_\_  
Inventor(s)

for \_\_\_\_\_  
Title of invention

**OR**

In re application of: Larry S. Eoff, et al

Application No.: 0 10 / 763,800

Group Art Unit:

Filed: 01/24/2004

Examiner:

For: Methods and Compositions for the Diversion of Aqueous Injection Fluids  
in Injection Operations

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR  
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. § 1.97(b))**

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Tammy Knight

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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [8-3]—page 1 of 3)

**NOTE: 37 C.F.R. 1.98(b):**

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.

**WARNING:** No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

**NOTE:** The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

### **IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.

**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

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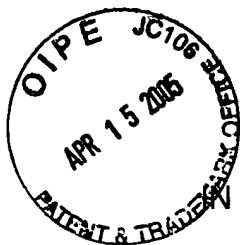
Robert A. Kent

(type or print name of practitioner)

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Duncan, OK 73536-0440



**PATENT 2003-IP-009464U1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Larry S. Eoff, et al	)	
		)	Art Unit: Unknown
Serial No.:	10/763,800	)	
		)	
Filed:	01/24/2004	)	Examiner: Unknown
		)	
For:	Methods and Compositions for the	)	
	Diversion of Aqueous Injection	)	
	Fluids in Injection Operations	)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

COMMISSIONER FOR PATENTS  
Alexandria, VA 22313-1450

SIR:

The following documents are known to Applicants or Applicants' attorneys and are submitted for the Examiner to consider in the above-captioned application.

**U. S. PATENTS**

U.S. Patent Number 2,863,832 issued 12/09/58 to Richard L. Perrine;

U.S. Patent Number 2,910,436 issued 10/27/59 to Irving Fatt, et al;

U.S. Patent Number 3,215,199 issued 11/02/65 to Richard E. Dilgren;

U.S. Patent Number 3,251,415 issued 05/17/66 to Caurino C. Bombardieri, et al;

U.S. Patent Number 3,297,090 issued 01/10/67 to Richard E. Dilgren;

U.S. Patent Number 3,307,630 issued 03/07/67 to Richard E. Dilgren, et al;

U.S. Patent Number 3,382,924 issued 05/14/68 to Carl D. Veley, et al;

U.S. Patent Number 3,434,971 issued 03/25/69 to Bobby L. Atkins;

U.S. Patent Number 3,441,085 issued 04/29/69 to John L. Gidley;

U.S. Patent Number 3,451,818 issued 06/24/69 to Richard R. Wareham;

U.S. Patent Number 3,910,862 issued 10/07/75 to Eugene S. Barabas, et al;

U.S. Patent Number 4,129,183 issued 12/12/78 to George Kalfoglou;

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U.S. Patent Number 4,299,710 issued 11/10/81 to Jean Dupre, et al;

U.S. Patent Number 4,366,071 issued 12/28/82 to Homer C. McLaughlin, et al;

U.S. Patent Number 4,366,072 issued 12/28/82 to Homer C. McLaughlin, et al;

U.S. Patent Number 4,366,073 issued 12/28/82 to Homer C. McLaughlin, et al;

U.S. Patent Number 4,366,074 issued 12/28/82 to Homer C. McLaughlin, et al;

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U.S. Patent Number 4,439,334 issued 03/27/84 to John K. Borchardt;

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U.S. Patent Number 4,536,305 issued 08/20/85 to John K. Borchardt, et al;

U.S. Patent Number 4,554,081 issued 11/19/85 to John K. Borchardt, et al;  
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U.S. Patent Number 4,604,216 issued 08/05/86 to Howard B. Irvin, et al;  
U.S. Patent Number 4,627,926 issued 12/09/86 to Dennis G. Peiffer, et al;  
U.S. Patent Number 4,693,639 issued 09/15/87 to Keith H. Hollenbeak, et al;  
U.S. Patent Number 4,699,722 issued 10/13/87 to Brian Dymond, et al;  
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U.S. Patent Number 5,979,557 issued 11/09/99 to Roger J. Card, et al;  
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U.S. Patent Application Publication Number 2003/0019627 A1 published

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05/27/04 by Keng Seng Chan, et al; and  
U.S. Patent Application Publication Number 2004/0229757 A1 published  
11/18/04 by Larry S. Eoff, et al (S/N 10/760,443, Ref. No. 2001-IP-005267U1P1,  
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Dalrymple, et al (including A3);  
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1-2, printed from website @ [http://speonline.spe.org/cgi-](http://speonline.spe.org/cgi-bin/viewpaper.cgi?paper=00068973.pdf)

[bin/viewpaper.cgi?paper=00068973.pdf](http://speonline.spe.org/cgi-bin/viewpaper.cgi?paper=00068973.pdf) by C. Wouter Botermans, et al;

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*Numerical Study of Water Coning Control with Downhole Water Sink (DWS) Well*

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*Controlling Formation Damage Using Clay Stabilizers: A Review*, Paper 95-71, The Petroleum Society of CIM, 1995, presented at the 46<sup>th</sup> Annual Technical Meeting of the Petroleum Society of CIM in Banff, Alberta, Canada, May 14-17 by Z. J. Zhou, et al;

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*First Halliburton H2Zero<sup>TM</sup> Conformance Solution Job Performed for a Producing Well in Egypt*, Halliburton, 2001 Press Releases, 2002, pp. 1-2, printed from website @ [www.halliburton.com/news/archive/2001/esgnws\\_111901.jsp](http://www.halliburton.com/news/archive/2001/esgnws_111901.jsp) by Halliburton;

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*Aquacon, Product Information*, 08/01/01, pp. 1-2 by BJ Services Company; and

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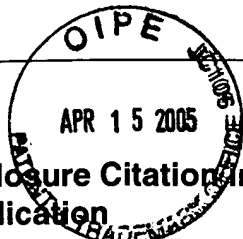
Copies of the aforementioned non-patent references and Form PTO-1449  
are submitted herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Kent". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Robert A. Kent  
Registration No. 28,626  
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580-251-3125

PTO-1449  <b>Information Disclosure Citation in an Application</b>	Application No. <b>10/763,800</b>	Applicant(s) <b>Larry S. Eoff, et al</b>	
	Docket Number <b>2003-IP-009464U1</b>	Group Art Unit	Filing Date <b>01/24/2004</b>



### U.S. PATENT DOCUMENTS

		DOCUMENT NO.	ISSUE/ PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
		2,863,832	12/09/58	Perrine	252	8.55	05/14/54
		2,910,436	10/27/59	Fatt, et al	252	8.55	10/02/53
		3,215,199	11/02/65	Dilgren	166	38	02/21/63
		3,251,415	05/17/66	Bombardieri, et al	166	42	04/01/65
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		3,382,924	05/14/68	Veley, et al	166	42	09/06/66
		3,434,971	03/25/69	Atkins	252	8.55	08/25/65
		3,441,085	04/29/69	Gidley	166	307	09/07/67
		3,451,818	06/24/69	Wareham	96	78	04/19/66
		3,910,862	10/07/75	Barabas, et al	260	79.3MU	08/27/73
		4,129,183	12/12/78	Kalfoglou	166	300	06/30/77
		4,158,521	06/19/79	Anderson, et al	405	264	06/26/78
		4,299,710	11/10/81	Dupre, et al	252	8.5A	05/30/75
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		4,366,073	12/28/82	McLaughlin, et al	252	8.55R	02/04/80
		4,366,074	12/28/82	McLaughlin, et al	252	8.55R	02/04/80
		4,374,739	02/22/83	McLaughlin, et al	252	8.55R	02/04/80
		4,393,939	07/19/83	Smith, et al	166	293	04/20/81
		4,395,340	07/26/83	McLaughlin	252	8.55D	07/14/81
		4,439,334	03/27/84	Borchardt	252	8.55D	07/14/81
		4,440,649	04/03/84	Loftin, et al	252	8.5C	01/28/82
		4,447,342	05/08/84	Borchardt, et al	252	8.55D	04/19/82
		4,460,627	07/17/84	Weaver, et al	427	212	08/25/82
		4,462,718	07/31/84	McLaughlin, et al	405	264	05/04/78

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449				Application No. <b>10/763,800</b>		Applicant(s) <b>Larry S. Eoff, et al</b>	
<b>Information Disclosure Citation in an Application</b>				Docket Number <b>2003-IP-009464U1</b>		Group Art Unit	Filing Date <b>01/24/2004</b>
<b>U.S. PATENT DOCUMENTS</b>							
		<b>DOCUMENT NO.</b>	<b>ISSUE/PUB. DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>
		4,536,297	08/20/85	Loftin, et al	252	8.5C	01/19/84
		4,536,305	08/20/85	Borchardt, et al	252	8.55R	09/21/84
		4,554,081	11/19/85	Borchardt, et al	252	8.5A	05/21/84
		4,563,292	01/07/86	Borchardt	252	8.55R	08/02/84
		4,604,216	08/05/86	Irvin, et al	252	8.510	06/11/84
		4,627,926	12/09/86	Peiffer, et al	252	8.55R	09/19/84
		4,693,639	09/15/87	Hollenbeak, et al	405	263	06/25/86
		4,699,722	10/13/87	Dymond, et al	252	8.551	05/23/85
		4,730,028	03/08/88	Bock, et al	526	225	03/28/86
		4,828,726	05/09/89	Himes, et al	252	8.553	09/11/87
		4,959,432	09/25/90	Fan, et al	526	287	07/18/88
		5,071,934	12/10/91	Peiffer	526	307	07/03/89
		5,097,904	03/24/92	Himes	166	294	02/28/91
		5,146,986	09/15/92	Dalrymple	166	294	12/11/91
		5,160,642	11/03/92	Schild, et al	252	8.551	05/25/90
		5,197,544	03/30/93	Himes	166	294	12/18/91
		5,208,216	05/04/93	Williamson, et al	507	120	06/30/92
		5,244,042	09/14/93	Dovan, et al	166	270	02/26/92
		5,271,466	12/21/93	Harms	166	300	10/30/92
		5,342,530	08/30/94	Aften, et al	252	8.551	05/04/92
		5,379,841	01/10/95	Pusch, et al	166	295	04/12/93
		5,607,902	03/04/97	Smith, et al	507	120	03/04/96
		5,669,456	09/23/97	Audibert, et al	175	72	07/01/96
		5,735,349	04/07/98	Dawson, et al	166	295	08/16/96
		5,887,653	03/30/99	Bishop, et al	166	281	08/15/97
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

PTO-1449  <b>Information Disclosure Citation in an Application</b>	Application No. <b>10/763,800</b>	Applicant(s) <b>Larry S. Eoff, et al</b>	
	Docket Number <b>2003-IP-009464U1</b>	Group Art Unit	Filing Date <b>01/24/2004</b>

**U.S. PATENT DOCUMENTS**

		<b>DOCUMENT NO.</b>	<b>ISSUE/PUB. DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>
		5,972,848 (English Equiv. of WO 93/15164)	10/26/99	Audibert, et al	507	119	10/15/96
		5,979,557	11/09/99	Card, et al	166	300	05/29/97
		6,187,839 B1	02/13/01	Eoff, et al	523	130	03/03/99
		6,228,812 B1	05/08/01	Dawson, et al	507	221	04/05/99
		6,237,687 B1	05/29/01	Barbee, Jr., et al	166	278	06/09/99
		6,253,851 B1	07/03/01	Schroeder, Jr., et al	166	278	09/20/99
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		6,476,283 B1	11/05/2002	Devore, et al	585	250	06/29/00
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		6,497,283 B1	12/24/02	Eoff, et al	166	293	11/19/01
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		US 2003/0019627 A1	01/30/03	Qu, et al	166	281	01/17/02
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		US 2004/0229757A1 (US Pat. App. Ser. No. 10/760,443)	11/18/04	Eoff, et al (Ref. No. 2001-IP-005267U1P1)	507	219	01/20/04

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

PTO-1449  <b>Information Disclosure Citation in an Application</b>	Application No. <b>10/763,800</b>	Applicant(s) <b>Larry S. Eoff, et al</b>	
	Docket Number <b>2003-IP-009464U1</b>	Group Art Unit	Filing Date <b>01/24/2004</b>

### U.S. PATENT DOCUMENTS

		DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
		DT 2 250 552	04/18/74	Germany	39b4	19/00	X	
		EP 0 383 337 A2	08/22/90	Europe	E21B	33/138	X	
		EP 0 896 122 A2	02/10/99	Europe	E21B	33/138	X	
		EP 1 033 378 A1 (See Equivalent, US 6,380,137 B1)	-	-	-	-		X
		EP 1 193 365 A1	04/03/02	Europe	E21B	33/138	X	
		EP 1 312 753 A1	05/21/03	Europe	E21B	33/138	X	
		GB 2 221 940 A	02/21/90	UK	C09K	7/02	X	
		WO 93/15164 (See Equivalent, US 5,972,848)	-	-	-	-		X
		WO 99/49183	09/30/99	PCT	E21B	43/02	X	
		WO 99/50530	10/07/99	PCT	E21B	43/02	X	
		WO 02/097236 A1	12/05/02	PCT	E21B	43/02	X	

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